

**GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT**

Ayush - Dr. Ch. Ranga Rao, Reader (PG) (Retd.) & Dr. Mahender Raj, Professor (UG) (Retd.) – Implementation of Andhra Pradesh Administrative Tribunal, Hyderabad common orders dated 07.01.2004 in O.A.Nos.1100/1999 & 1101/1999 – Notional promotion to the cadre of Additional Director/Principal/PG Professor, for the panel year 1997-98 – Orders – Issued.

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**HEALTH, MEDICAL AND FAMILY WELFARE (I.2) DEPARTMENT**

**G.O.Ms.No. 155**

**Dated:20.09.2013.**

**Read the following:**

1. Common Orders dated 07.01.2004 of the Hon'ble A.P.A.T., Hyderabad in O.A.Nos.1100/1999 & 1101/1999 filed by Dr. Ch. Ranga Rao, Reader (PG) (Retd.) & Dr. Mahender Raj, Professor (UG) (Retd.)
2. From the Commissioner of Ayush, AP, Hyderabad, Lr.No.5904/Ayur.1/1999, Dated 30-08-2011.

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**ORDER:**

In the reference 1<sup>st</sup> read above, the Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad, in its common orders dated 07-01-2004 in O.A.Nos. 1100/1999 & 1101/1999 filed by Dr. Ch. Ranga Rao, Reader (PG) (Retd.) & Dr. Mahender Raj, Professor (UG) (Retd.) respectively has directed the respondents to give orders assigning notional date of promotion to the applicants with reference to the date of occurrence of vacancy and also with reference to the placement in the panel year 1997-98 at Sl.Nos. 4 and 1 respectively and duly granting them notional increments, if any, due and also revise the pension and other pensionary benefits due to the applicants which might have been already settled, within a period of three months from the date of receipt of a copy of this order.

2. As per advise of G.A. (Ser.D) Department & Law Department, Government have filed W.Ps. bearing Nos.15745/2004 and 15590/2004 before the Hon'ble High Court of A.P., Hyderabad against the common orders dated 07-01-2004 of Hon'ble APAT, Hyderabad in O.A.Nos. 1100/1999 & 1101/1999 filed by Dr. Ch. Ranga Rao, Reader (PG) (Retd.) & Dr. Mahender Raj, Professor (UG) (Retd.) respectively. The Hon'ble High Court in their common judgement dated 31-01-2005 dismissed the above W.Ps. with the following orders the operative portion of which is extracted below:

*"In as much as the petitioners are entitled for consideration of promotion and since it was not granted on the ground that the stay was operating for promotions at the instance of some other employees, the unofficial respondents cannot be denied the same. Thus, we do not find any illegality in the order of the Tribunal."*

3. On the above, the Govt have filed Civil Appeal Nos. 4384 & 4385 of 2007 before the Hon'ble Supreme Court of India, against the above common judgement of the Hon'ble High Court dated 31-01-2005 in the above W.Ps. The Hon'ble Supreme Court of India in its orders dated 28-04-2011 have dismissed the above civil appeals and directed as follows:

*"Having heard learned Counsel for the parties and having perused the record of the case, we are of the view that this is not a fit case to exercise our discretion under Article 136 of the Constitution of India."*

(P.T.O)

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4. The Government, after careful examination of the matter and in the light of the orders issued by the Hon'ble Courts, hereby order to issue notional promotion to the cadre of Additional Director/Principal/PG Professor from the date of approval of DPC i.e. 21-05-1998 in respect of Dr. Ch. Ranga Rao, Reader (PG) (Retd.) & Dr. Mahender Raj, Professor (UG) (Retd.) for the panel year 1997-98, in relaxation of Rules.

5. The Commissioner of Ayush, A.P, Hyderabad, shall take necessary action accordingly.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**AJAY SAWHNEY  
PRINCIPAL SECRETARY TO GOVERNMENT**

To  
The Commissioner of AYUSH, AP., Hyderabad.  
The individuals through Commissioner of AYUSH, AP., Hyderabad.  
Copy to:  
The Pay & Accounts Officer, Hyderabad.  
The Accountant General, AP., Hyderabad.  
SF/SC.

**// FORWARDED :: BY ORDER //**

**SECTION OFFICER**